



Rep. Joe Sosnowski

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LRB098 16326 MLW 57698 a

1 AMENDMENT TO HOUSE BILL 4941

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4941 by replacing  
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the  
5 Automated Traffic Law Enforcement Task Force Act.

6 Section 5. Automated Traffic Law Enforcement Task Force.

7 (a) For purposes of this Act, an "automated traffic law  
8 enforcement system" includes automated traffic law enforcement  
9 systems as defined by Section 11-208.6 of the Illinois Vehicle  
10 Code and automated speed enforcement systems as defined by  
11 Section 11-208.8 of the Illinois Vehicle code.

12 (b) An Automated Traffic Law Enforcement Task Force shall  
13 be appointed to study the following:

14 (1) how automated traffic law enforcement systems are  
15 used to enforce traffic laws, including but not limited to  
16 methods of detecting violations, issuance of false

1 violations, and accuracy in measurement;

2 (2) procedures for adjudicating citations issued using  
3 automated traffic law enforcement systems, including but  
4 not limited to fines, the minimum and average amounts of  
5 time that pass from issuance of the citation to final  
6 decision, available defenses, and means of appealing  
7 decisions;

8 (3) the effectiveness of automated traffic law  
9 enforcement systems in reducing traffic law violations;  
10 and

11 (4) the financial impact of automated traffic law  
12 enforcement systems, including but not limited to  
13 construction, installation, maintenance, issuance and  
14 prosecution of citations, and revenue generated.

15 (c) The Task Force shall be composed of the following  
16 members:

17 (1) two members of the House of Representatives  
18 appointed by the Speaker of the House of Representatives;

19 (2) two members of the House of Representatives  
20 appointed by the Minority Leader of the House of  
21 Representatives;

22 (3) two members of the Senate appointed by the  
23 President of the Senate;

24 (4) two members of the Senate appointed by the Minority  
25 Leader of the Senate;

26 (5) the Director of State Police or his or her

1 representative;

2 (6) the Secretary of Transportation or his or her  
3 representative;

4 (7) the President of the Illinois Association of Chiefs  
5 of Police or his or her representative;

6 (8) the Executive Director of the Illinois Municipal  
7 League or his or her representative; and

8 (9) the Executive Director of the Township Officials of  
9 Illinois or his or her representative.

10 The members shall select a chairperson from among their  
11 membership.

12 (d) The Task Force shall meet within 60 days of the  
13 effective date of this Act. The failure of any person or  
14 organization to appoint a member under subsection (c) of this  
15 Section shall not prevent the task force from proceeding in  
16 that member's absence, provided a quorum is present. Staff  
17 support services may be provided to the Task Force by the  
18 Department of Transportation.

19 (e) The members of the Task Force shall serve without  
20 compensation.

21 (f) The Task Force shall submit to the General Assembly a  
22 report of its findings and recommendations for legislative  
23 action no later than January 1, 2015.

24 Section 80. Repeal. This Act is repealed on January 1,  
25 2015.

1           Section 900. The Illinois Vehicle Code is amended by  
2 changing Sections 11-208.6 and 11-208.8 as follows:

3           (625 ILCS 5/11-208.6)

4           Sec. 11-208.6. Automated traffic law enforcement system.

5           (a) As used in this Section, "automated traffic law  
6 enforcement system" means a device with one or more motor  
7 vehicle sensors working in conjunction with a red light signal  
8 to produce recorded images of motor vehicles entering an  
9 intersection against a red signal indication in violation of  
10 Section 11-306 of this Code or a similar provision of a local  
11 ordinance.

12           An automated traffic law enforcement system is a system, in  
13 a municipality or county operated by a governmental agency,  
14 that produces a recorded image of a motor vehicle's violation  
15 of a provision of this Code or a local ordinance and is  
16 designed to obtain a clear recorded image of the vehicle and  
17 the vehicle's license plate. The recorded image must also  
18 display the time, date, and location of the violation.

19           (b) As used in this Section, "recorded images" means images  
20 recorded by an automated traffic law enforcement system on:

21           (1) 2 or more photographs;

22           (2) 2 or more microphotographs;

23           (3) 2 or more electronic images; or

24           (4) a video recording showing the motor vehicle and, on

1 at least one image or portion of the recording, clearly  
2 identifying the registration plate number of the motor  
3 vehicle.

4 (b-5) A municipality or county that produces a recorded  
5 image of a motor vehicle's violation of a provision of this  
6 Code or a local ordinance must make the recorded images of a  
7 violation accessible to the alleged violator by providing the  
8 alleged violator with a website address, accessible through the  
9 Internet.

10 (c) Except as provided under Section 11-208.8 of this Code,  
11 a county or municipality, including a home rule county or  
12 municipality, may not use an automated traffic law enforcement  
13 system to provide recorded images of a motor vehicle for the  
14 purpose of recording its speed. Except as provided under  
15 Section 11-208.8 of this Code, the regulation of the use of  
16 automated traffic law enforcement systems to record vehicle  
17 speeds is an exclusive power and function of the State. This  
18 subsection (c) is a denial and limitation of home rule powers  
19 and functions under subsection (h) of Section 6 of Article VII  
20 of the Illinois Constitution.

21 (c-5) A county or municipality, including a home rule  
22 county or municipality, may not use an automated traffic law  
23 enforcement system to issue violations in instances where the  
24 motor vehicle comes to a complete stop and does not enter the  
25 intersection, as defined by Section 1-132 of this Code, during  
26 the cycle of the red signal indication unless one or more

1 pedestrians or bicyclists are present, even if the motor  
2 vehicle stops at a point past a stop line or crosswalk where a  
3 driver is required to stop, as specified in subsection (c) of  
4 Section 11-306 of this Code or a similar provision of a local  
5 ordinance.

6 (c-6) A county, or a municipality with less than 2,000,000  
7 inhabitants, including a home rule county or municipality, may  
8 not use an automated traffic law enforcement system to issue  
9 violations in instances where a motorcyclist enters an  
10 intersection against a red signal indication when the red  
11 signal fails to change to a green signal within a reasonable  
12 period of time not less than 120 seconds because of a signal  
13 malfunction or because the signal has failed to detect the  
14 arrival of the motorcycle due to the motorcycle's size or  
15 weight.

16 (d) For each violation of a provision of this Code or a  
17 local ordinance recorded by an automatic traffic law  
18 enforcement system, the county or municipality having  
19 jurisdiction shall issue a written notice of the violation to  
20 the registered owner of the vehicle as the alleged violator.  
21 The notice shall be delivered to the registered owner of the  
22 vehicle, by mail, within 30 days after the Secretary of State  
23 notifies the municipality or county of the identity of the  
24 owner of the vehicle, but in no event later than 90 days after  
25 the violation.

26 The notice shall include:

1 (1) the name and address of the registered owner of the  
2 vehicle;

3 (2) the registration number of the motor vehicle  
4 involved in the violation;

5 (3) the violation charged;

6 (4) the location where the violation occurred;

7 (5) the date and time of the violation;

8 (6) a copy of the recorded images;

9 (7) the amount of the civil penalty imposed and the  
10 requirements of any traffic education program imposed and  
11 the date by which the civil penalty should be paid and the  
12 traffic education program should be completed;

13 (8) a statement that recorded images are evidence of a  
14 violation of a red light signal;

15 (9) a warning that failure to pay the civil penalty, to  
16 complete a required traffic education program, or to  
17 contest liability in a timely manner is an admission of  
18 liability and may result in a suspension of the driving  
19 privileges of the registered owner of the vehicle;

20 (10) a statement that the person may elect to proceed  
21 by:

22 (A) paying the fine, completing a required traffic  
23 education program, or both; or

24 (B) challenging the charge in court, by mail, or by  
25 administrative hearing; and

26 (11) a website address, accessible through the

1 Internet, where the person may view the recorded images of  
2 the violation.

3 (e) If a person charged with a traffic violation, as a  
4 result of an automated traffic law enforcement system, does not  
5 pay the fine or complete a required traffic education program,  
6 or both, or successfully contest the civil penalty resulting  
7 from that violation, the Secretary of State shall suspend the  
8 driving privileges of the registered owner of the vehicle under  
9 Section 6-306.5 of this Code for failing to complete a required  
10 traffic education program or to pay any fine or penalty due and  
11 owing, or both, as a result of a combination of 5 violations of  
12 the automated traffic law enforcement system or the automated  
13 speed enforcement system under Section 11-208.8 of this Code.

14 (f) Based on inspection of recorded images produced by an  
15 automated traffic law enforcement system, a notice alleging  
16 that the violation occurred shall be evidence of the facts  
17 contained in the notice and admissible in any proceeding  
18 alleging a violation under this Section.

19 (g) Recorded images made by an automatic traffic law  
20 enforcement system are confidential and shall be made available  
21 only to the alleged violator and governmental and law  
22 enforcement agencies for purposes of adjudicating a violation  
23 of this Section, for statistical purposes, or for other  
24 governmental purposes. Any recorded image evidencing a  
25 violation of this Section, however, may be admissible in any  
26 proceeding resulting from the issuance of the citation.

1           (h) The court or hearing officer may consider in defense of  
2 a violation:

3           (1) that the motor vehicle or registration plates of  
4 the motor vehicle were stolen before the violation occurred  
5 and not under the control of or in the possession of the  
6 owner at the time of the violation;

7           (2) that the driver of the vehicle passed through the  
8 intersection when the light was red either (i) in order to  
9 yield the right-of-way to an emergency vehicle or (ii) as  
10 part of a funeral procession; and

11           (3) any other evidence or issues provided by municipal  
12 or county ordinance.

13           (i) To demonstrate that the motor vehicle or the  
14 registration plates were stolen before the violation occurred  
15 and were not under the control or possession of the owner at  
16 the time of the violation, the owner must submit proof that a  
17 report concerning the stolen motor vehicle or registration  
18 plates was filed with a law enforcement agency in a timely  
19 manner.

20           (j) Unless the driver of the motor vehicle received a  
21 Uniform Traffic Citation from a police officer at the time of  
22 the violation, the motor vehicle owner is subject to a civil  
23 penalty not exceeding \$100 or the completion of a traffic  
24 education program, or both, plus an additional penalty of not  
25 more than \$100 for failure to pay the original penalty or to  
26 complete a required traffic education program, or both, in a

1 timely manner, if the motor vehicle is recorded by an automated  
2 traffic law enforcement system. A violation for which a civil  
3 penalty is imposed under this Section is not a violation of a  
4 traffic regulation governing the movement of vehicles and may  
5 not be recorded on the driving record of the owner of the  
6 vehicle.

7 (j-3) A registered owner who is a holder of a valid  
8 commercial driver's license is not required to complete a  
9 traffic education program.

10 (j-5) For purposes of the required traffic education  
11 program only, a registered owner may submit an affidavit to the  
12 court or hearing officer swearing that at the time of the  
13 alleged violation, the vehicle was in the custody and control  
14 of another person. The affidavit must identify the person in  
15 custody and control of the vehicle, including the person's name  
16 and current address. The person in custody and control of the  
17 vehicle at the time of the violation is required to complete  
18 the required traffic education program. If the person in  
19 custody and control of the vehicle at the time of the violation  
20 completes the required traffic education program, the  
21 registered owner of the vehicle is not required to complete a  
22 traffic education program.

23 (k) An intersection equipped with an automated traffic law  
24 enforcement system must be posted with a sign visible to  
25 approaching traffic indicating that the intersection is being  
26 monitored by an automated traffic law enforcement system.

1           (k-3) A municipality or county that has one or more  
2 intersections equipped with an automated traffic law  
3 enforcement system must provide notice to drivers by posting  
4 the locations of automated traffic law systems on the  
5 municipality or county website.

6           (k-5) An intersection equipped with an automated traffic  
7 law enforcement system must have a yellow change interval that  
8 conforms with the Illinois Manual on Uniform Traffic Control  
9 Devices (IMUTCD) published by the Illinois Department of  
10 Transportation.

11           (k-7) A municipality or county operating an automated  
12 traffic law enforcement system shall conduct a statistical  
13 analysis to assess the safety impact of each automated traffic  
14 law enforcement system at an intersection following  
15 installation of the system. The statistical analysis shall be  
16 based upon the best available crash, traffic, and other data,  
17 and shall cover a period of time before and after installation  
18 of the system sufficient to provide a statistically valid  
19 comparison of safety impact. The statistical analysis shall be  
20 consistent with professional judgment and acceptable industry  
21 practice. The statistical analysis also shall be consistent  
22 with the data required for valid comparisons of before and  
23 after conditions and shall be conducted within a reasonable  
24 period following the installation of the automated traffic law  
25 enforcement system. The statistical analysis required by this  
26 subsection (k-7) shall be made available to the public and

1 shall be published on the website of the municipality or  
2 county. If the statistical analysis for the 36 month period  
3 following installation of the system indicates that there has  
4 been an increase in the rate of accidents at the approach to  
5 the intersection monitored by the system, the municipality or  
6 county shall undertake additional studies to determine the  
7 cause and severity of the accidents, and may take any action  
8 that it determines is necessary or appropriate to reduce the  
9 number or severity of the accidents at that intersection.

10 (l) The compensation paid for an automated traffic law  
11 enforcement system must be based on the value of the equipment  
12 or the services provided and may not be based on the number of  
13 traffic citations issued or the revenue generated by the  
14 system.

15 (m) This Section applies only to the counties of Cook,  
16 DuPage, Kane, Lake, Madison, McHenry, St. Clair, and Will and  
17 to municipalities located within those counties.

18 (n) The fee for participating in a traffic education  
19 program under this Section shall not exceed \$25.

20 A low-income individual required to complete a traffic  
21 education program under this Section who provides proof of  
22 eligibility for the federal earned income tax credit under  
23 Section 32 of the Internal Revenue Code or the Illinois earned  
24 income tax credit under Section 212 of the Illinois Income Tax  
25 Act shall not be required to pay any fee for participating in a  
26 required traffic education program.

1 (o) A municipality or county shall make a certified report  
2 to the Secretary of State pursuant to Section 6-306.5 of this  
3 Code whenever a registered owner of a vehicle has failed to pay  
4 any fine or penalty due and owing as a result of a combination  
5 of 5 offenses for automated traffic law or speed enforcement  
6 system violations.

7 (p) No person who is the lessor of a motor vehicle pursuant  
8 to a written lease agreement shall be liable for an automated  
9 speed or traffic law enforcement system violation involving  
10 such motor vehicle during the period of the lease; provided  
11 that upon the request of the appropriate authority received  
12 within 120 days after the violation occurred, the lessor  
13 provides within 60 days after such receipt the name and address  
14 of the lessee. The drivers license number of a lessee may be  
15 subsequently individually requested by the appropriate  
16 authority if needed for enforcement of this Section.

17 Upon the provision of information by the lessor pursuant to  
18 this subsection, the county or municipality may issue the  
19 violation to the lessee of the vehicle in the same manner as it  
20 would issue a violation to a registered owner of a vehicle  
21 pursuant to this Section, and the lessee may be held liable for  
22 the violation.

23 (q) This Section, other than this subsection (q), is  
24 inoperative on the effective date of this amendatory Act of the  
25 98th General Assembly and shall remain inoperative until  
26 January 1, 2015.

1 (Source: P.A. 97-29, eff. 1-1-12; 97-627, eff. 1-1-12; 97-672,  
2 eff. 7-1-12; 97-762, eff. 7-6-12; 98-463, eff. 8-16-13.)

3 (625 ILCS 5/11-208.8)

4 Sec. 11-208.8. Automated speed enforcement systems in  
5 safety zones.

6 (a) As used in this Section:

7 "Automated speed enforcement system" means a photographic  
8 device, radar device, laser device, or other electrical or  
9 mechanical device or devices installed or utilized in a safety  
10 zone and designed to record the speed of a vehicle and obtain a  
11 clear photograph or other recorded image of the vehicle and the  
12 vehicle's registration plate while the driver is violating  
13 Article VI of Chapter 11 of this Code or a similar provision of  
14 a local ordinance.

15 An automated speed enforcement system is a system, located  
16 in a safety zone which is under the jurisdiction of a  
17 municipality, that produces a recorded image of a motor  
18 vehicle's violation of a provision of this Code or a local  
19 ordinance and is designed to obtain a clear recorded image of  
20 the vehicle and the vehicle's license plate. The recorded image  
21 must also display the time, date, and location of the  
22 violation.

23 "Owner" means the person or entity to whom the vehicle is  
24 registered.

25 "Recorded image" means images recorded by an automated

1 speed enforcement system on:

2 (1) 2 or more photographs;

3 (2) 2 or more microphotographs;

4 (3) 2 or more electronic images; or

5 (4) a video recording showing the motor vehicle and, on  
6 at least one image or portion of the recording, clearly  
7 identifying the registration plate number of the motor  
8 vehicle.

9 "Safety zone" means an area that is within one-eighth of a  
10 mile from the nearest property line of any public or private  
11 elementary or secondary school, or from the nearest property  
12 line of any facility, area, or land owned by a school district  
13 that is used for educational purposes approved by the Illinois  
14 State Board of Education, not including school district  
15 headquarters or administrative buildings. A safety zone also  
16 includes an area that is within one-eighth of a mile from the  
17 nearest property line of any facility, area, or land owned by a  
18 park district used for recreational purposes. However, if any  
19 portion of a roadway is within either one-eighth mile radius,  
20 the safety zone also shall include the roadway extended to the  
21 furthest portion of the next furthest intersection. The term  
22 "safety zone" does not include any portion of the roadway known  
23 as Lake Shore Drive or any controlled access highway with 8 or  
24 more lanes of traffic.

25 (a-5) The automated speed enforcement system shall be  
26 operational and violations shall be recorded only at the

1 following times:

2 (i) if the safety zone is based upon the property line  
3 of any facility, area, or land owned by a school district,  
4 only on school days and no earlier than 6 a.m. and no later  
5 than 8:30 p.m. if the school day is during the period of  
6 Monday through Thursday, or 9 p.m. if the school day is a  
7 Friday; and

8 (ii) if the safety zone is based upon the property line  
9 of any facility, area, or land owned by a park district, no  
10 earlier than one hour prior to the time that the facility,  
11 area, or land is open to the public or other patrons, and  
12 no later than one hour after the facility, area, or land is  
13 closed to the public or other patrons.

14 (b) A municipality that produces a recorded image of a  
15 motor vehicle's violation of a provision of this Code or a  
16 local ordinance must make the recorded images of a violation  
17 accessible to the alleged violator by providing the alleged  
18 violator with a website address, accessible through the  
19 Internet.

20 (c) Notwithstanding any penalties for any other violations  
21 of this Code, the owner of a motor vehicle used in a traffic  
22 violation recorded by an automated speed enforcement system  
23 shall be subject to the following penalties:

24 (1) if the recorded speed is no less than 6 miles per  
25 hour and no more than 10 miles per hour over the legal  
26 speed limit, a civil penalty not exceeding \$50, plus an

1 additional penalty of not more than \$50 for failure to pay  
2 the original penalty in a timely manner; or

3 (2) if the recorded speed is more than 10 miles per  
4 hour over the legal speed limit, a civil penalty not  
5 exceeding \$100, plus an additional penalty of not more than  
6 \$100 for failure to pay the original penalty in a timely  
7 manner.

8 A penalty may not be imposed under this Section if the  
9 driver of the motor vehicle received a Uniform Traffic Citation  
10 from a police officer for a speeding violation occurring within  
11 one-eighth of a mile and 15 minutes of the violation that was  
12 recorded by the system. A violation for which a civil penalty  
13 is imposed under this Section is not a violation of a traffic  
14 regulation governing the movement of vehicles and may not be  
15 recorded on the driving record of the owner of the vehicle. A  
16 law enforcement officer is not required to be present or to  
17 witness the violation. No penalty may be imposed under this  
18 Section if the recorded speed of a vehicle is 5 miles per hour  
19 or less over the legal speed limit. The municipality may send,  
20 in the same manner that notices are sent under this Section, a  
21 speed violation warning notice where the violation involves a  
22 speed of 5 miles per hour or less above the legal speed limit.

23 (d) The net proceeds that a municipality receives from  
24 civil penalties imposed under an automated speed enforcement  
25 system, after deducting all non-personnel and personnel costs  
26 associated with the operation and maintenance of such system,

1 shall be expended or obligated by the municipality for the  
2 following purposes:

3 (i) public safety initiatives to ensure safe passage  
4 around schools, and to provide police protection and  
5 surveillance around schools and parks, including but not  
6 limited to: (1) personnel costs; and (2) non-personnel  
7 costs such as construction and maintenance of public safety  
8 infrastructure and equipment;

9 (ii) initiatives to improve pedestrian and traffic  
10 safety;

11 (iii) construction and maintenance of infrastructure  
12 within the municipality, including but not limited to roads  
13 and bridges; and

14 (iv) after school programs.

15 (e) For each violation of a provision of this Code or a  
16 local ordinance recorded by an automated speed enforcement  
17 system, the municipality having jurisdiction shall issue a  
18 written notice of the violation to the registered owner of the  
19 vehicle as the alleged violator. The notice shall be delivered  
20 to the registered owner of the vehicle, by mail, within 30 days  
21 after the Secretary of State notifies the municipality of the  
22 identity of the owner of the vehicle, but in no event later  
23 than 90 days after the violation.

24 (f) The notice required under subsection (e) of this  
25 Section shall include:

26 (1) the name and address of the registered owner of the

1 vehicle;

2 (2) the registration number of the motor vehicle  
3 involved in the violation;

4 (3) the violation charged;

5 (4) the date, time, and location where the violation  
6 occurred;

7 (5) a copy of the recorded image or images;

8 (6) the amount of the civil penalty imposed and the  
9 date by which the civil penalty should be paid;

10 (7) a statement that recorded images are evidence of a  
11 violation of a speed restriction;

12 (8) a warning that failure to pay the civil penalty or  
13 to contest liability in a timely manner is an admission of  
14 liability and may result in a suspension of the driving  
15 privileges of the registered owner of the vehicle;

16 (9) a statement that the person may elect to proceed  
17 by:

18 (A) paying the fine; or

19 (B) challenging the charge in court, by mail, or by  
20 administrative hearing; and

21 (10) a website address, accessible through the  
22 Internet, where the person may view the recorded images of  
23 the violation.

24 (g) If a person charged with a traffic violation, as a  
25 result of an automated speed enforcement system, does not pay  
26 the fine or successfully contest the civil penalty resulting

1 from that violation, the Secretary of State shall suspend the  
2 driving privileges of the registered owner of the vehicle under  
3 Section 6-306.5 of this Code for failing to pay any fine or  
4 penalty due and owing, or both, as a result of a combination of  
5 5 violations of the automated speed enforcement system or the  
6 automated traffic law under Section 11-208.6 of this Code.

7 (h) Based on inspection of recorded images produced by an  
8 automated speed enforcement system, a notice alleging that the  
9 violation occurred shall be evidence of the facts contained in  
10 the notice and admissible in any proceeding alleging a  
11 violation under this Section.

12 (i) Recorded images made by an automated speed enforcement  
13 system are confidential and shall be made available only to the  
14 alleged violator and governmental and law enforcement agencies  
15 for purposes of adjudicating a violation of this Section, for  
16 statistical purposes, or for other governmental purposes. Any  
17 recorded image evidencing a violation of this Section, however,  
18 may be admissible in any proceeding resulting from the issuance  
19 of the citation.

20 (j) The court or hearing officer may consider in defense of  
21 a violation:

22 (1) that the motor vehicle or registration plates of  
23 the motor vehicle were stolen before the violation occurred  
24 and not under the control or in the possession of the owner  
25 at the time of the violation;

26 (2) that the driver of the motor vehicle received a

1 Uniform Traffic Citation from a police officer for a  
2 speeding violation occurring within one-eighth of a mile  
3 and 15 minutes of the violation that was recorded by the  
4 system; and

5 (3) any other evidence or issues provided by municipal  
6 ordinance.

7 (k) To demonstrate that the motor vehicle or the  
8 registration plates were stolen before the violation occurred  
9 and were not under the control or possession of the owner at  
10 the time of the violation, the owner must submit proof that a  
11 report concerning the stolen motor vehicle or registration  
12 plates was filed with a law enforcement agency in a timely  
13 manner.

14 (l) A roadway equipped with an automated speed enforcement  
15 system shall be posted with a sign conforming to the national  
16 Manual on Uniform Traffic Control Devices that is visible to  
17 approaching traffic stating that vehicle speeds are being  
18 photo-enforced and indicating the speed limit. The  
19 municipality shall install such additional signage as it  
20 determines is necessary to give reasonable notice to drivers as  
21 to where automated speed enforcement systems are installed.

22 (m) A roadway where a new automated speed enforcement  
23 system is installed shall be posted with signs providing 30  
24 days notice of the use of a new automated speed enforcement  
25 system prior to the issuance of any citations through the  
26 automated speed enforcement system.

1           (n) The compensation paid for an automated speed  
2 enforcement system must be based on the value of the equipment  
3 or the services provided and may not be based on the number of  
4 traffic citations issued or the revenue generated by the  
5 system.

6           (o) A municipality shall make a certified report to the  
7 Secretary of State pursuant to Section 6-306.5 of this Code  
8 whenever a registered owner of a vehicle has failed to pay any  
9 fine or penalty due and owing as a result of a combination of 5  
10 offenses for automated speed or traffic law enforcement system  
11 violations.

12           (p) No person who is the lessor of a motor vehicle pursuant  
13 to a written lease agreement shall be liable for an automated  
14 speed or traffic law enforcement system violation involving  
15 such motor vehicle during the period of the lease; provided  
16 that upon the request of the appropriate authority received  
17 within 120 days after the violation occurred, the lessor  
18 provides within 60 days after such receipt the name and address  
19 of the lessee. The drivers license number of a lessee may be  
20 subsequently individually requested by the appropriate  
21 authority if needed for enforcement of this Section.

22           Upon the provision of information by the lessor pursuant to  
23 this subsection, the municipality may issue the violation to  
24 the lessee of the vehicle in the same manner as it would issue  
25 a violation to a registered owner of a vehicle pursuant to this  
26 Section, and the lessee may be held liable for the violation.

1           (q) A municipality using an automated speed enforcement  
2 system must provide notice to drivers by publishing the  
3 locations of all safety zones where system equipment is  
4 installed on the website of the municipality.

5           (r) A municipality operating an automated speed  
6 enforcement system shall conduct a statistical analysis to  
7 assess the safety impact of the system. The statistical  
8 analysis shall be based upon the best available crash, traffic,  
9 and other data, and shall cover a period of time before and  
10 after installation of the system sufficient to provide a  
11 statistically valid comparison of safety impact. The  
12 statistical analysis shall be consistent with professional  
13 judgment and acceptable industry practice. The statistical  
14 analysis also shall be consistent with the data required for  
15 valid comparisons of before and after conditions and shall be  
16 conducted within a reasonable period following the  
17 installation of the automated traffic law enforcement system.  
18 The statistical analysis required by this subsection shall be  
19 made available to the public and shall be published on the  
20 website of the municipality.

21           (s) This Section applies only to municipalities with a  
22 population of 1,000,000 or more inhabitants.

23           (t) This Section, other than this subsection (t), is  
24 inoperative on the effective date of this amendatory Act of the  
25 98th General Assembly and shall remain inoperative until  
26 January 1, 2015.

1 (Source: P.A. 97-672, eff. 7-1-12; 97-674, eff. 7-1-12; 98-463,  
2 eff. 8-16-13.)

3 Section 999. Effective date. This Act takes effect upon  
4 becoming law.".